

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

STEVEN J. OLSHEWSKY
COMPLAINANT

v.

COLUMBIA GAS OF KENTUCKY, INC.
DEFENDANT

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) CASE NO. 95-376
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O R D E R

On December 6, 1995, Columbia Gas of Kentucky, Inc. ("Columbia") filed a motion for leave to serve certain data responses on the Complainant which were inadvertently not served in conformity with the Commission's October 13, 1995 Order. The Commission, having considered the motion and being otherwise sufficiently advised, finds that the motion should be granted.

Columbia also filed a motion to dismiss this proceeding due to the Complainant's failure to provide information requested by the Commission and otherwise prosecute his complaint. The Commission finds that due to Columbia's inadvertence in providing the Complainant with copies of its responses, the Complainant should be given an additional 10 days within which to review Columbia's responses and otherwise respond to the Commission's October 13, 1995 Order. The Commission accordingly finds that Columbia's motion to dismiss should be granted only if the complaining party fails to respond within 10 days of the date of this Order.

The hearing scheduled in this matter for December 19, 1995 will be canceled pending further responses from the Complainant.

IT IS THEREFORE ORDERED that:

1. Columbia's motion for leave to file its data responses out of time is hereby granted.

2. The Complainant is hereby directed to file his responses to the Commission's Order of October 13, 1995 within 10 days of the date of this Order. Should the Complainant fail to file any responses within the 10 day period, this complaint shall be dismissed without further Order of the Commission.

3. The hearing scheduled for December 19, 1995 is canceled.

Done at Frankfort, Kentucky, this 11th day of December, 1995.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director